

UNITED STATES DISTRICT COURT

for

**EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION**

U.S.A. vs. George Fitzgerald Fenderson

Docket No. 4:00-CR-6-1

Petition for Action on Supervised Release

COMES NOW John A. Cooper, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of George Fitzgerald Fenderson, who, upon an earlier plea of guilty to 21 U.S.C. § 846, Conspiracy to Distribute and Possession with Intent to Distribute Cocaine Base (Crack), was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on August 22, 2000, to the custody of the Bureau of Prisons for a term of 120 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall submit a written weekly report to the probation office, if not regularly employed, of attempts to secure gainful employment.

George Fitzgerald Fenderson was released from custody on May 30, 2008, at which time the term of supervised release commenced.

On October 6, 2010, Fenderson was reported to the Court via Petition for Action on Supervised Release wherein he violated an agreement he made with the probation office not to contact Sheava Beatty, his ex-girlfriend, because of ongoing domestic violence incidents with her. The court continued Fenderson on supervision, but modified the conditions requiring him to serve 4 weekends in jail. He successfully completed this sanction.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR
CAUSE AS FOLLOWS:**

On January 12, 2011, at 11 pm, Fenderson was stopped by Wilmington Police officers for not wearing his seatbelt. He was in a car accompanied by a female friend, Melissa Russell. A search of Fenderson, Russell, and the vehicle they occupied, revealed a small amount of cocaine under the passenger seat of the vehicle where Ms. Russell was seated. She was charged with felony drug

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charges, but Fenderson was released without being charged. He reported this incident to the probation officer as required, but Mr. Fenderson seems to continue making bad choices in the people and places with whom he associates. As such, we are recommending he serve 120 days at the Bannum Place of Wilmington Residential Re-Entry Center to punish him for his conduct, and curtail his questionable activities in the community. He has a good job and will be allowed to continue working while at the facility. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall undergo placement in a residential reentry center for a period of 120 days as arranged by the probation office and shall abide by the conditions of that program during said placement.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

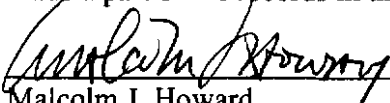
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Kevin L. Connolley
Kevin L. Connolley
Supervising U.S. Probation Officer

/s/ John A. Cooper
John A. Cooper
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: (910) 815-4857
Executed On: February 15, 2011

ORDER OF COURT

Considered and ordered this 22nd day of February, 2011, and ordered filed and made a part of the records in the above case.



Malcolm J. Howard
Senior U.S. District Judge